

ORIGINAL

US Dist. court of the middle Dist.

FILED Pennsylvania.

HARRISBURG, PA

JUL 16 2004

Civil Action No: 1:00-1728

(Judge) Conner

WM Branch
VS. PlaintiffRussian et al.
DefendantsMARY E. D'ANDREA, CLERK
Per KSW
Deputy ClerkBrief in support of
Motion for a unpublished case
and a Complete Docket Sheet

①

If it Pleases your Honor inmate William Branch CF3756 Humbly asks This Noble Tribunal to provide a case Cited by the defendant in their "Defendants Reply Brief" Dated June 11, 2004 case Titled "Robin vs. Horn, et. al., No. 99-1841 (M.D. Pa. Sept 30, 2001)" Judge Vanaski, This case address a material issue in my 8 1983 complaint. I have ask the Law Library here for this case 4 weeks has almost Passed and still they have not provided it, Just Like the computers for the new Lex case's are not installed and most of the new citing's are on computers. this further complicate pleading to the courts!

may I point out to your Honor Robins may state that Requiring documentation is ~~not~~ constitutional, He fail To factor in the Principle of "Evolving Belief System" citing: Love Vs Reed 216 F3d 682 at 687^(8th Cir. 2000) [5] afrika, 662 F2d at 1032 n 13 (quoting Malnak v. Yogi 592 F2d 197, 207-210 (3rd circuit 1979) "We find that Love's belief system is a Religion" and at [8] "the guarantee of free exercise is not limited to beliefs which are shared by all of the members of a Religious sect" Thomas, 450 U.S. at 715-716, 101 S.Ct. 1425. Note 9 of Love "The question whether [Love's] beliefs are entitled to Free Exercise Protection Turns on whether they are Sincerely held not on the ecclesiastical question whether he is infact a Jew under Judaic Law" Jackson Vs.

Mann, 196 F3d 316, 321 (2nd Cir. 1999)

[6] Love admits that his understanding of the tenets of his belief system are evolving. However "[C]ourts should not undertake To dissect Religious beliefs because the believer admits that he is struggling with his position or because his beliefs are not articulated with clarity and precision that a more sophisticated Person might employ" Thomas 450 us. 707, 715, 101 S.Ct. 1425, 47 Led 2d 624 (1981)

Love had no documentation to provide the A.D.COR. To show his sincerely held beliefs [y]et the court held that as a Evolving Belief system the first amendment's Free Exercise clause Protected him, his proof offer was "Self pro-claimed adherent of "Hebrew Religion" and derived his beliefs from his own fundamentalist interpretation of Old testament, . 817 F.2d 1499 Martinelli vs. Dugger Granting Exemption to cutting hair

② I have Requested a copy of my docket Sheet, this is the Second Time I have Requested, Respectfully CADocket No. 1:00-1728

for the Reason stated above I Respectfully ask this Noble Court to supply me with the unpublished case of Robins vs Thorn et. al., No 99-1841 (md. Pa Sept. 30, 2001) Judge Vanaski. and a copy of my Docket Sheets Respectfully

Proof of Service

Ms Mosley esq 15th Strawberry Sq Harrisburg Pa 17120

Unsworn Declaration

I affirm under Penalty of the Law that the above is true

Date 7-10-04

Page ②

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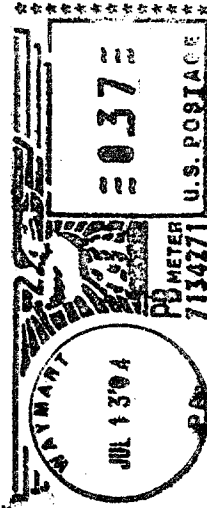
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